

FILED
Clerk
District Court

MAR 27 2006

For The Northern Mariana Islands
By _____
(Deputy Clerk)

G. Anthony Long, Esq.
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Attorney for Defendant Fermina Atalig

**IN THE UNITED STATES DISTRICT COURT
FOR THE
NORTHERN MARIANA ISLANDS**

UNITED STATES OF AMERICA) CRIMINAL ACTION NO. 05-0004
)
Plaintiff)
)
v.) DECLARATION OF COUNSEL
) SUPPORTING MOTION FOR
) NEW TRIAL
FERMINA ATALIG)
) Date: May 18, 2006
Defendant)
) Timer: 9:00 a.m.

I, G. Anthony Long, hereby state as follows:

1. I am the attorney for Fermina Atalig, the defendant in this case.
2. Attached hereto as Exhibit 1 is a copy of the handwritten declaration of Angie Manglona.
3. On or about 8:17 p.m. on Monday, February 27, 2006, the evening after the first day of trial, the prosecution sent an 85 page fax to my office. Included in the fax were documents concerning Fermina Atalig's candidacy for the

1 election. The documentation had not previously been produced or provided
2 by the prosecution.

3 4. Attached hereto are two of the documents I received on the evening of
4 February 27, 2006.
5

6
7 I declare under penalty of perjury that the above is true and correct and
8 execute this declaration on Saipan on this 27th day of March, 2006.
9

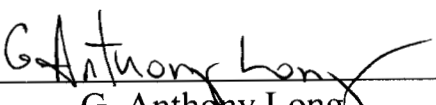
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11 
12 G. Anthony Long
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EXHIBIT 1

I, Angelina A. Mangione, an Assistant Attorney
Assistant for the Department of Labor, Division
of Employment Services, ~~am~~ ^{was} supervisor of
Fernando M. Atalaya, Job Placement Officer.

All information that I provided to the FBI
on January 19, 2004 were true and correct
to the best of my knowledge. I am doing
this statement on my own free will and
voluntarily. I will cooperate with the Federal
Government as much as I can remember
regarding the DAA Program.

that I was instructed by Fernando M. Atalaya
to give out applications, keep them first
out (if they request) records, and determine
application.

As I was instructed ~~that not~~ ^{or} help applicants
and get ~~the~~ ^{the} applications provided that
they submit in their application stating they
are partner or sister.

- That I never knew ~~that~~ ^{the} report should be
provided until all checks were disbursed,
and later to me over Marie Mangione to call
applicants to provide tax report.

1/20/09

~~Ann~~ ~~Ann~~
- That this program is pressured ^{to} me. Termina Atalg told me ^{how to} ~~to~~ help her with the determination, ~~because~~ ^{because} Mr. Patrick Cawo, EMO, called and asked for the DHA Listings. For me, we don't have time to sit and review them carefully.

- That the Mayor's Certification was given to her (Termina Atalg) to make copies and certify all applicants that received DHA Assistance.

- That ~~most~~ some fishers and farmers were only part-time like myself. ^{They} ~~They~~ report fishing on Saturdays & Sundays before the typhoon Pongsona hit Rota.

- That I was ~~then~~ taught by Termina Atalg how to review applications and if there is a question that I could not understand, I raised it to her.

- That ^{some} ~~all~~ applications that were submitted to the Department of Labor ~~and~~ and interviewed by Termina M. Atalg is something to do with her Candidacy, that I don't know. She ^{was} ~~was~~ running for ^{the} special election as a Senator and Mr. Thomas A. Mangona ^{our former P.D.} was her Chairman. Again, that I don't know.

Ann

And talked to Verina Mangona to verify if Tafe Barcinas is still going to school, and she said yes. But, again Mrs. Atala released the remaining \$250.00 and \$75 to him or to one of Tafe's family member, I don't see on record.

- On March 21, 2003, Termina Atalay and Marita Mangona went out of the office to seek more applicants, while I stayed in the office receiving applications.

- That I knew a retired military is receiving money from the military and applied for Du. Assistance. I told Termina Atalay about this person, and said it is okay because she talked to Diana Haff regarding military retirement.

The above statements were true and correct to the best of my knowledge.

Amy Dina 1/20/04

Amy Dina

Witness: SA David W. T/CN/AL/TC
Witness: Inv. Pamela P. Salento

1/20/2004
1/20/2004

EXHIBIT 2

6705323

ROTA, PER OFFICE

08/08/03 15:

P01

August 06, 2003

Mr. Greg Sahlan
Executive Director
Northern Mariana Commonwealth
Board of Elections
P.O. Box 470
Capitol Hill, House # 1313
Saipan, MP 96950

Dear Director Sahlan:

On August 2, 2003, documents were submitted to your Office in compliance of the requirements for my candidacy to the Senate, Northern Mariana Commonwealth Legislature. The intent of my candidacy is for the Special Election that is expected to be determined once the seat of Senator Ricardo S. Atalig is vacated sometime in October, 2003. It is not my intent to be a candidate for the mid-term election in November, 2003. It was an error and not intentional that I submitted my application for candidacy to the Senate for a Special Election that, although is expected, has not been determined yet.

Therefore, I respectfully request my name to be withdrawn as a candidate for Senator in the coming mid-term election in November, 2003. I will follow the correct process for candidacy to the Senate seat expected to be vacated by Senator Ricardo S. Atalig when a Special Election is determined.

I appreciate your understanding and assistance.


Fernina M. Atalig

Received ON
8/6/03
h2



**COMMONWEALTH ELECTION COMMISSION
COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS**

P.O. Box 500470
Saipan, MP 96950-0470
<http://www.votechnmi.gov.mp/>

Tel.: (670) 664-VOTE
Fax: (670) 664-8689
Email: cec@saipan.com

AUG 18 2003

Ms. Fermina Manglona Atalig
P. O. Box 1045
Rota MP 96951

Dear Ms. Atalig:

We are returning to you all the documents and petition supporting your nomination for office that you submitted to us on August 2, 2003. We are returning them to you because you wrote to us on August 6, 2003 informing us of your intention to seek election in the prospective special election and not the general election.

Please resubmit these documents once Governor Juan N. Babauta proclaims a call for the First Senatorial District special election. We will then review them for completion and determine your candidacy eligibility for the special election.

Thank you for your interest in seeking election to public office. We continue to wish all of you every success in your efforts.

Sincerely yours,

GREGORIO C. SABLÁN
Executive Director

Enclosure(s)